

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RONALD HOLTZ,

Plaintiff,

v.

MARTHA KARR, MARVIN SPENCER,
SGT. BRASWELL, DANNY OTA, M.
JOURNEY, RICHARD ODEGARD,
PIERCE COUNTY, PIERCE COUNTY
SHERIFF DEPARTMENT, PAT KELLY,
VINCENT GOLDSMITH, MARY
SCOTT, SHARLA JAMES-
HUTCHISON,

Defendants.

CASE NO. C12-5111 RJB-KLS

ORDER REGARDING PLAINTIFF'S
MOTION TO CLARIFY AND
DENYING PLAINTIFF'S MOTION
FOR ENLARGEMENT OF TIME
AND/OR STAY

Plaintiff Ronald Holtz seeks a sixty to ninety day extension of time within which to file a reply to Defendants' answer to his second amended complaint. Dkt. 107. He also requests that the Court clarify its prior rulings. Dkt. 108. With regard to the first motion, the requested extension is denied as a reply to an answer is not required unless the Court orders that a reply be filed. Fed. R. Civ. P. 7(7). The only deadline in this case at this time is the parties' discovery completion deadline of September 19, 2014. Therefore, the requested extension is unnecessary.

With regard to his motion to clarify, the Court provides the following summary of the procedural posture of Mr. Holtz's claims. In February 2012, Mr. Holtz filed his original

1 complaint against Defendant Susan Karr only. Dkt. 13. The Court directed Mr. Holtz to file an
2 amended complaint because the original complaint was deficient. Dkt. 15. In his amended
3 complaint, Mr. Holtz named Susan Karr, Marvin Spencer, C. Kollin, Sharla James, K. Miller,
4 Brswell, Judy Snow, Danny Ota, M. Journey, Richard Odegard, Pierce County Detention
5 Corrections Center, Michael Kawamura, Richard Whitehead, Department of Assigned Counsel.
6 Dkt. 20. These Defendants filed a motion to dismiss in lieu of an answer to the amended
7 complaint. Dkt. 41. On May 24, 2013, Defendants' motion to dismiss was granted as to
8 Plaintiff's claims against Defendants Kawmura and Whitehead and Plaintiff was directed to file
9 an amended complaint as to his remaining claims. Dkt. 69.

10 Plaintiff filed his second amended complaint on August 12, 2013 against Pierce County,
11 Pierce County Sheriff's Department, Pierce County Sheriff Pat Kelly, Vincent Goldsmith, and
12 Mary Scott. Dkt. 80. Defendants filed a second motion to dismiss in lieu of filing of answer to
13 the second amended complaint. Dkt. 90. On March 10, 2014, the District Judge granted the
14 Defendants' motion to dismiss as to all of Plaintiff's claims except his First Amendment
15 religious claims against Defendant Pierce County. Dkt. 104. The Court directed the remaining
16 Defendant Pierce County to file its answer to the second amended complaint and set pretrial
17 scheduling deadlines as follows: discovery to be completed by September 19, 2014 and
18 dispositive motions to be filed by November 14, 2014. Dkt. 105. Defendant Pierce County filed
19 its answer to the second amended complaint on April 9, 2014. Dkt. 106.

20 Thus, the only defendant remaining in this case is Pierce County and the only claim
21 remaining in this case relates to Plaintiff's allegations that the policies of the Pierce County
22 Detention Center violated his religious rights.


23 Accordingly, it is **ORDERED**:

24 ORDER REGARDING PLAINTIFF'S MOTION TO
CLARIFY AND DENYING PLAINTIFF'S
MOTION FOR ENLARGEMENT OF TIME
AND/OR STAY- 2

1 (1) Plaintiff's motion for extension (Dkt. 107) is **DENIED**. Plaintiff's motion to
2 clarify (Dkt. 108) is **GRANTED to the extent discussed herein**.

3 (2) The Clerk of Court is directed to send a copy of this Order to Plaintiff and to
4 counsel for Defendant.

5 Dated this 29th day of April, 2014.

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8 Karen L. Strombom
United States Magistrate Judge
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